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Anniston, Alabama
February 16, 2015

The City Council of the City of Anniston, Alabama, met in Regular Session in the Council Chamber in the City Hall of the City of Anniston, Alabama, on Monday, February 16, 2015, at approximately 5:36 o'clock p.m.

Bill Young prayed the Invocation.

Bill Young led the Pledge of Allegiance to the Flag.

Mayor Stewart called the meeting to order. On call of the roll the following Council Members were found to be present: Council Members Jenkins, Reddick, Selase, Harris and Stewart; absent: none. A quorum was present and the meeting opened for the transaction of business.

Brian Johnson, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Selase made a motion to waive the reading of the minutes of February 2, 2015. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Harris made a motion to approve the minutes of February 2, 2015. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Jenkins made a motion to remove from the agenda Consent Agenda item (d) a resolution over-ruling objections to the abatement of identified nuisances (Group 39 – Dangerous structures) and to move Consent Agenda item (h) a motion to approve the following amendments to the City of Anniston Classification and Pay Plan; Food Services and Events Manager, Administrative Assistant – Food Services and Events, Custodial Supervisor - Food Services and Events, Custodial Laborer - Food Services and Events, to Motions and to adopt the agenda as amended. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Selase made a motion to approve the Consent Agenda items:

Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the city.

Resolution over-ruling objections to the abatement of identified nuisances. (Group 2015-01 Vehicles)

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Resolution over-ruling objections to the abatement of identified nuisances. (Group 2015-01 Debris)

Resolution accepting the resignation of a member of the Longleaf Botanical Gardens Board.

Resolution declaring various vehicles and pieces of equipment as surplus and authorizing their sale.

Resolution approving the application for a tax abatement for Project Glass and further authorizing the Mayor to execute an agreement with same.

Motion to ratify the appointments by the Farley L. Berman Foundation, Inc. of Lisa Davis (term expires 10/31/2018) and Dr. David Cummings (term expires 10/31/2017) to the Anniston Museum Complex Board.

Motion to approve a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) license application for Roshun Business LLC d/b/a Sparkle Mart located in the police jurisdiction at 4022 Bynum Leatherwood Road.

Evaluation of bids for one (1) pick-up truck for Public Works.

Evaluation of bids for one (1) heavy duty dump truck for the Public Works Department.

The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Glen Ray, 3514 Dale Hollow Road, addressed the Council and stated he had been trying to some information about the internal affairs investigative procedures of the Anniston Police Department. He stated that information had cost him \$10.00 and the report was only two pages and should have been available on the internet.

Mayor Stewart announced that was the time for the public hearing to hear objections to the proposed abatement of identified nuisances (Group 2015-01-Vehicles) at the following locations: 729 E. 22nd Street, 731 E. 19th Street, 829 E. 22nd Street, 1131 Altamont Road, 1205 Altamont Road, 1311 Johnston Drive, 1312 Woodhaven Terrace, 1612 McCall Drive, 1919 Rocky Hollow Road, 2112 Thomas Avenue, 2409 Walnut Avenue, 1804 Johnston Street, 1403 Mulberry Avenue, 1630 Crane Avenue, 1406 Pine Avenue, 1004 Constantine Avenue, 1611 Cobb Avenue, 916 W. 17th Street, 2527 Paul Street, 1700 Dooley Avenue, and 2504 Paul Circle; declared the hearing open and asked if anyone wished to address the Council concerning objections to the proposed abatement of identified nuisances at said locations.

Angela Reid addressed the Council concerning the vehicles located at 1700 Dooley Avenue and stated one vehicle was not hers and she needed some time to fix the other one.

Curtis Ray addressed the Council concerning the vehicles located at 1004 Constantine Avenue and stated he drives some of the vehicles and he needed a little time for some of the vehicles.

Ali El-Sayed addressed the Council concerning the vehicles located at 2112 Thomas Avenue and 1919 Rocky Hollow Road and stated he was working to take care of this problem.

Rick Foster addressed the Council concerning his house at 2120 Thomas Avenue and stated he lived in the house and it was not abandoned.

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Mr. El-Sayed addressed the Council concerning properties he owned on Rocky Hollow Road and Thomas Avenue and stated they needed more police patrols in the area.

Mayor Stewart asked if anyone else wished to address the Council concerning objections to the proposed abatement of identified nuisances at said locations.

No one else addressed the Council concerning objections to the proposed abatement of identified nuisances at said locations.

Mayor Stewart declared the public hearing to hear objections to the proposed abatement of identified nuisances (Group 2015-01-Vehicles) at the following locations: 729 E. 22nd Street, 731 E. 19th Street, 829 E. 22nd Street, 1131 Altamont Road, 1205 Altamont Road, 1311 Johnston Drive, 1312 Woodhaven Terrace, 1612 McCall Drive, 1919 Rocky Hollow Road, 2112 Thomas Avenue, 2409 Walnut Avenue, 1804 Johnston Street, 1403 Mulberry Avenue, 1630 Crane Avenue, 1406 Pine Avenue, 1004 Constantine Avenue, 1611 Cobb Avenue, 916 W. 17th Street, 2527 Paul Street, 1700 Dooley Avenue, and 2504 Paul Circle closed.

Mayor Stewart announced that was the time for the public hearing to hear objections to the proposed abatement of identified nuisances (Group 2015-01-Debris) at the following locations: 1030 Johnston Drive, 311 South Walnut Avenue, 1921 Rocky Hollow Road and 2409 Walnut Avenue; declared the hearing open and asked if anyone wished to address the Council concerning objections to the proposed abatement of identified nuisances at said locations.

No one addressed the Council concerning objections to the proposed abatement of identified nuisances at said locations.

Mayor Stewart declared the public hearing to hear objections to the proposed abatement of identified nuisances (Group 2015-01-Debris) at the following locations: 1030 Johnston Drive, 311 South Walnut Avenue, 1921 Rocky Hollow Road and 2409 Walnut Avenue closed.

Mayor Stewart announced that was the time for the public hearing to hear objections to the proposed abatement of identified nuisances (Group 39 – Dangerous Structures) at the following locations: Lenlock Center LLC, 5818 McClellan Boulevard, Parcel Numbers 18-04-17-1-001-003.000 through 018.000; declared the hearing open and asked if anyone wished to address the Council concerning objections to the proposed abatement of identified nuisances at said locations.

Tana Bryant, Code Enforcement, addressed the Council and stated she had received an email for the owner of the Lenlock Center LLC asking for an extension of 60 days to resolve the situation and would be willing to attend a future Council meeting to provide more information.

Council Member Reddick made a motion to continue the public hearing to hear objections to the proposed abatement of identified nuisances (Group 39 – Dangerous Structures) at the following locations: Lenlock Center LLC, 5818 McClellan Boulevard, Parcel Numbers 18-04-17-1-001-003.000 through 018.000. The motion was seconded by Council Member Harris; and on call of

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the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Selase made a motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 15-O-1. The motion was seconded by Council Member Jenkins.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 15-O-1.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 15-O-1.

On call of the roll on Council Member Selase's motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 15-O-1 and Council Member Jenkins' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Unanimous consent of the Council having been granted to introduce and read by title Ordinance Number 15-O-1, Council Member Selase introduced and read by title Ordinance Number 15-O-1 as follows:

(15-O-1, amending Chapter 29 ½, Article I, Stormwater Management Regulation for Compliance with the City's NPDES, Phase II, MS4 Permit and Stormwater Management Plan)

Council Member Harris made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 15-O-1 as introduced and read by title. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Selase, Harris and Stewart; nays: none; abstentions: Council Member Reddick. The motion failed.

Harold Ray addressed the Council and stated he did not understand how they could tax the water coming from the sky. He stated he did not know if this was a tax or a fee.

Council Member Harris made a motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 15-O-2. The motion was seconded by Council Member Jenkins.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 15-O-2.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 15-O-2.

On call of the roll on Council Member Harris' motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 15-O-2 and Council Member Jenkins' second to

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said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Unanimous consent of the Council having been granted to introduce and read by title Ordinance Number 15-O-2, Council Member Harris introduced and read by title Ordinance Number 15-O-2 as follows:

(15-O-2, to amend Division 1, Article XI, Chapter 2, Section 2.53.4 and 2.53.5 of the City Code regulating Boards, Commissions and Authorities)

Council Member Jenkins made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 15-O-2 as introduced and read by title. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 15-O-2 as introduced and read by title, Council Member Jenkins made a motion for the passage and adoption of Ordinance Number 15-O-2 as introduced and read by title. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Ordinance Number 15-O-2 was passed and adopted.

Council Member Reddick made a motion to reconsider the vote on the motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 15-O-1 as introduced and read by title. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Jenkins made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 15-O-1 as introduced and read by title. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 15-O-1 as introduced and read by title, Council Member Jenkins made a motion for the passage and adoption of Ordinance Number 15-O-1 as introduced and read by title. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Ordinance Number 15-O-1 was passed and adopted.

Council Member Selase introduced and read Ordinance Number 15-O-3 as follows:

(15-O-3, amending Stormwater User Fee Charge System to allow fee credits)

Council Member Selase made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 15-O-3 as introduced and read. The motion was

seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 15-O-3 as introduced and read, Council Member Jenkins made a motion for the passage and adoption of Ordinance Number 15-O-3 as introduced and read. The motion was seconded by Council Member Harris.

Council Member Jenkins made a motion to amend Ordinance Number 15-O-3 to amend Section 29 ½.23(b) to add “and all other preschool, elementary, middle and high schools within the city”. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Selase made a motion for the passage and adoption of Ordinance Number 15-O-3 as amended. The motion was seconded by Council Member Harris; ; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Ordinance Number 15-O-3 was passed and adopted.

Council Member Selase introduced and read Resolution Number 15-R-17 as follows:

(15-R-17, adopting the Stormwater User Fee Credit Manual)

Council Member Selase made a motion for the passage and adoption of Resolution Number 15-R-17 as introduced and read. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 15-R-17 was passed and adopted.

Brian Johnson, City Manager, addressed the Council concerning the Stormwater User Fee Credit Manual.

Council Member Reddick stated that he had pipes disintegrating in his Ward and they did need to fix their infrastructure.

Council Member Jenkins introduced and read Resolution Number 15-R-18 as follows:

(15-R-18, approving application and authorizing incorporation of Downtown Development Authority

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 15-R-18 as introduced and read. The motion was seconded by Council Member Selase; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 15-R-18 was passed and adopted.

Council Member Selase made a motion to approve the following amendments to the City of Anniston Classification and Pay Plan; Food Services and Events Manager, Administrative Assistant – Food Services and Events, Custodial Supervisor - Food Services and Events, Custodial Laborer - Food Services and Events. The motion was seconded by Council Member Harris.

Council Member Reddick stated that this affects employees who are currently Civil Service Employees and he wanted to read from the Civil Service Act Section 45-8A-22.01 (5) “Grandfathered Employee. Any person who is employed in the service of the city on the date upon which the act adding this language becomes effective in a position that is subject to the civil service system. A person to whom this subdivision applies shall remain a civil service employee for the purpose of this subpart unless the employee accepts a promotion or employment in a different position within the city, without regard to whether the different position was formerly subject to the civil service system, or unless the employee voluntarily opts out of the civil service system through proper notice, as set forth in this subpart.” Section 45-8A-22.02 (c) “A grandfathered employee who remains a civil service employee, at his or her discretion, may opt out of the civil service system by submitting a signed and verified written notice to his or her appointing authority and a copy to the board, attesting to all of the following: (1) That the employee is knowingly and voluntarily withdrawing from the civil service system. (2) That the employee understands and acknowledges that his or her withdrawal is permanent and irrevocable. (3) That the employee understands and acknowledges that he or she permanently and irrevocably relinquishes his or her status as a grandfathered employee, together with any and all rights and privileges afforded by the board or its rules. (4) That the employee has relied upon his or her own judgment in an exercise of his or her own free will and has not been coerced, threatened or otherwise forced to withdraw from the civil service system.”

Brian Johnson, City Manager, stated that tonight they were adding four positions to the City’s Classification and Pay Plan. He stated there were positions in the Plan that were currently not funded or filled. He stated that the one thing the section of the Civil Service Act did not address was the affordability of funding positions. He stated they were in a position where they could not adequately fund position in their current state. He stated during the budget process they had positions they could not afford to fund that were civil service positions.

Council Member Reddick stated he wanted to make sure that the Civil Service employees were aware of their rights.

On call of the roll on Council Member Selase’s motion to approve the following amendments to the City of Anniston Classification and Pay Plan; Food Services and Events Manager, Administrative Assistant – Food Services and Events, Custodial Supervisor - Food Services and Events, Custodial Laborer - Food Services and Events and Council Member Harris’ second to said motion the following vote was recorded: ayes: Council Members Jenkins, Selase, Harris and Stewart; nays: Council Member Reddick. The motion carried.

Council Member Jenkins asked everyone to support the local high school basketball teams still participating in the play-offs.

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Council Member Reddick stated that Council Member Selase had stated they should hide information from Council Member Reddick and anyone else who did not want to get on board with what this Council wants to do. He stated he had not received any information from Council Member Selase since that statement nor any response to his emails or phone calls. He stated any information being passed down to Council Members should not go through Council Member Selase as a conduit and he wanted this as part of the record.

Council Member Selase stated that this Saturday the Museum would be hosting the Black Heritage Festival. He thanked Myra Bushard for all her work and help to the Council.

Council Member Harris thanked Myra Bushard for all her work and help to the Council. She stated she would be working at the schools preparing the students for the upcoming Russian ballet.

Mayor Stewart stated they were very excited about Carleson Composites coming to the city and they were looking forward to the creation of more new jobs.

There being no further business to come before the meeting at that time Council Member Selase made a motion the meeting be adjourned. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and the meeting was adjourned at approximately 6:44 o'clock p.m.